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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

FOR DISTRICT OF NORTHERN CALIFORNIA

FENG CHEN, ET AL

Plaintiff,

vs.

GOLDEN EAGLE GROUP, INC. DBA  
PEKING PALACE, WENYING L LO, AND  
DOES 1-10

Defendants

Case No.: C07-04433 CRB

OBJECTION TO SUBSTITUTION OF  
ATTORNEY OF DEFENDANTS & ORDER

On May 9, 2008, Defendants filed a Substitution of Attorney (Docket #28), whereby individual Defendant WEN-YING LIN LO substitutes as attorney of record for Defendant Golden Eagle Group Inc. dba Peking Palace in stead and place of Jeffery Chen, Esq. This substitution is impermissible as WEN-YING LIN LO, a non-lawyer, is precluded from appearing pro se on behalf of another person under 28 U.S.C. § 1654. See National Independent Theatre Exhibitors, Inc. v. Buena Vista Distribution Co., 748 F.2d 602 (11<sup>th</sup> Cir. 1984). Failure to appoint a legally licensed attorney to represent it by a corporate litigant shall result in such corporate litigant being treated as in default. Batac Dev. Corp. v. B & R Consultants, Inc., 2000 U.S. Dist. LEXIS 3695 (S.D. N.Y. 2000).

The May 9, 2008 Substitution also seeks for WEN-YING LIN LO to appear pro se on behalf of herself in stead and in place of Jeffery Chen, Esq. While WEN-YING LIN LO is permitted

1 to appear pro se on her own behalf, she did not enter on record her address, telephone number, and  
2 fax number where she is to be noticed and/or reached.

3  
4 DATED: November 24, 2007

By: /s/ Adam Wang  
ADAM WANG  
Attorneys for Plaintiffs

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7  
8 **[PROPOSED] ORDER**

9 IT IS HEREBY ORDERED that as a non-lawyer, WEN-YING LIN LO is not permitted to  
10 appear pro se on behalf of Golden Eagle Inc. dba Peking Palace. As such, Defendant Golden Eagle  
11 Inc. dba Peking Palace is ordered to appoint a duly licensed attorney of record no later than  
12 \_\_\_\_\_, 2008. Should Defendant Golden Eagle Inc. dba Peking Palace fail to appoint a  
13 licensed attorney of record by such date, a default should be entered against it.

14 IT IS FURTHER ORDERED that Defendant WEN-YING LIN LO should put on the record  
15 her address, telephone number and fax number where she is to be noticed and/or reached for the  
16 purpose of this case. No later than 7 days from today's date, WEN-YING LIN LO should file a  
17 notice containing such information.

18 Before Golden Eagle Inc. dba Peking Palace appoints a qualified attorney of record, and  
19 before WEN-YING LIN LO files a notice of addresses, telephone number and fax number where she  
20 is to be noticed or reached for the purpose of this case, papers in this case should continued to be  
21 served on Jeffery Chen, Esq. pursuant to Civil Local Rule 11-5(b).

22 IT IS SO ORDERED.

23 Dated: May \_\_\_\_\_, 2008

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CHARLES R. BREYER  
United States District Judge